

REMARKS/ARGUMENTS

This amendment is submitted in response to the Office Action dated August 20, 2004. After entry of this amendment claims 1-27 will be pending in the application. Claims 1, 5, 9, 14, 15, 19, and 20 have been amended to further clarify the instant invention in view of the prior art and to overcome an objections. Claims 23-27 have been added in order to further define the invention.

Reconsideration and allowance is respectfully requested in view of the amendments made and the remarks made below.

1. Claim Objections

Claim 14 was objected to because the word "times" should be --times--. The Applicant has amended claim 14 to change the word "times" to --times--. The Applicant submits that claim 14 as amended overcomes the objection and requests notice to that effect.

2. Rejections under 35 U.S.C. § 102(b)

Claims 1-5, 10-13, 15-18, 21, and 22 stand rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 2,160,618 to Kreutzig (hereinafter "Kreutzig"). The Applicant submits that each and every limitation of the claims as amended are not met by Kreutzig.

"A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference." *Verdegaal Bros. V. Union Oil Co. of California*, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987).

Independent claim 1 as amended requires the limitation of "wherein said grooming tool is adjustable in a first direction to a first extended longitudinal position with respect to said housing and said grooming tool is further adjustable in a second direction opposite said first direction to a second extended longitudinal position with respect to said housing." Independent claim 15 as amended now has the limitation of "wherein said elongated grooming tool is adjustable in a first direction to a first extended longitudinal position with respect to said outer gripping surface and in a second direction opposite said first direction to a second extended

longitudinal position with respect to gripping surface.” The Applicant submits that Kreutzig does not possess this limitation.

Kreutzig discloses a comb brush having a comb body 10 having a hollow 11 in its back portion. The comb body 10 has a plurality of projecting comb teeth 12 and a cover 13 that is slidably mounted on the comb body 10. The cover on its underside has a plurality of bristles 14. Figures 1, 2 and 9 show cover 13 in its extended position with respect to comb body 10.

The Examiner argues that comb body 10 and comb teeth 12 constitute the longitudinally extending grooming tool. The Applicant submits that comb body 10, and comb teeth 12 do not meet the limitation of being adjustable to a first and a second extended position. Claims 1 and 15 as amended require that the grooming tool is capable of being adjusted to first and second extended position with respect to the housing, or gripping member. Kreutzig’s comb body 10 is only adjustable to one extended position with respect to the cover 13. As discussed on page 4 of the Applicant’s specification, comb 17 may be extended in either direction 32 or 34 as shown in Figure 3. This allows the user of comb 17 to isolate either the fine group of tines or the coarse group of tines during use. Kreutzig is not concerned with accomplishing this goal since the tines used are only of one type and Kreutzig only contemplates using a brush portion in addition to the comb portion. Therefore, Kreutzig only teaches being having a grooming tool extendable to one extended position and because of the nature of the comb brush taught by Kreutzig, would only need to be extendable in one direction.

The Applicant submits that Kreutzig does not meet each and every limitation of amended claims 1 and 15 and respectfully requests that the rejection be removed and the claims allowed. The Applicant further submits that claims 2-14 and 16-22 are also allowable by virtue of their dependence upon allowable independent claims.

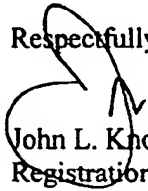
3. New Claims

New claims 23-27 have been added to further define the invention. Support for the new claims can be found in Figure 1 and pages 3-4 of the Specification.

3. Conclusion

Applicant has made an earnest effort to place this application in condition for allowance. If the Examiner feels that a telephone interview would expedite prosecution of this patent application, he is respectfully invited to telephone the undersigned at 215-599-0600.

Respectfully submitted,


John L. Knoble
Registration No. 32,387

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KNOBLE YOSHIDA & DUNLEAVY, LLC
Eight Penn Center- Suite 1350
1628 John F. Kennedy Boulevard
Philadelphia, PA 19103
(215) 599-0600